



**Ninety-Eighth Legislature - Second Session - 2004**  
**Committee Statement**  
**LB 822**

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**Hearing Date:** January 29, 2004

**Committee On:** Natural Resources

**Introducer(s):** (Preister)

**Title:** Change Environmental Quality Council standards and classification duties

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**Roll Call Vote – Final Committee Action:**

Advanced to General File

Advanced to General File with Amendments

X Indefinitely Postponed

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**Vote Results:**

|   |                     |   |
|---|---------------------|---|
| 8 | Yes                 | Senators Friend, Hudkins, Jones, Kremer, Loudon, Preister, Schrock, Stuhr |
| 0 | No                  |   |
| 0 | Present, not voting |   |
| 0 | Absent              |   |

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**Proponents:**

Senator Don Preister  
Melissa Gardner  
David Holmquist  
Ken Winston  
Jarel Vinduska

**Representing:**

Introducer  
Nebraska Sierra Club  
Center for People in Need  
Nebraska Sierra Club  
Self

**Opponents:**

Bruce Larsen  
Mike Mostek

**Representing:**

Nebraska Industrial Council on the Environment  
Nebraska Industrial Council on the Environment

**Neutral:**

None

**Representing:**

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**Summary of purpose and/or changes:**

LB 822 changes the provisions of adoption of rules and regulations by the Environmental Quality Council to include the consideration of “environmental justice”.

Section 1      Adds that all classifications and standards must be made with special reference to not only effects on health, economic and social factors and physical effects on property, but also “environmental justice”.

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Also requires that special consideration be given to effects on the health of children, minority and low-income populations.

- (i) Defines “environmental justice” as equal justice and equal protection under environmental statutes and regulations so that “environmental justice communities” are not exposed to unjustly high and adverse environmental impact;
- (ii) Defines “environmental justice communities” as any population that is either low-income or over 50% minority; or contains a minority population meaningfully greater than the minority population in the general population; federally recognized Indian tribes or groups within tribes.

(The remainder of the bill is those changes recommended by revisors to eliminate unnecessary language or to clarify existing language.)

**Explanation of amendments, if any:**

None

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**Senator Ed Schrock, Chairperson**